

RESOLUTION PROVIDING FOR THE MAKING OF RELOCATION  
PAYMENTS TO BUSINESS CONCERNS

MASS. R-35

WHEREAS, the Boston Redevelopment Authority has entered into a Temporary Loan Contract, Mass. R-35, dated October 3, 1961, with the Housing and Home Finance Agency, a division of the United States Government; and

WHEREAS, pursuant to Section 106(f) of the Housing Act of 1949, as amended, and pursuant to said Temporary Loan Contract and pursuant to regulations issued by the Urban Renewal Commissioner of said Housing and Home Finance Agency, the Boston Redevelopment Authority may make relocation payments to eligible business concerns displaced by an urban renewal project.

WHEREAS, the Authority will by informational statement and other communication addressed to business concerns occupying property within the project area notify such business concerns in conformance with the provisions of this resolution: (a) of the availability of relocation payments, and (b) where the written conditions under which relocation payments will be made are available.

NOW, THEREFORE, BE IT RESOLVED by the Boston Redevelopment Authority as follows:

Section 1. The Authority hereby determines to make relocation payments to eligible business concerns, pursuant to Section 106(f) of the Housing Act of 1949 as amended and the rules and regulations promulgated thereunder.

Section 2. In determining eligible relocation expense, the following words shall be construed to mean,

(a) Property. Tangible personal property, excluding fixtures, equipment and other property which under State or local law are considered real property, but including such items of real property as the site occupant may lawfully remove.



(b) Business Concern. A corporation, partnership, individual, or other private entity, including a nonprofit organization, engaged in some type of business, professional or institutional activity necessitating fixtures, equipment, stock in trade, or other tangible property for the carrying on of the business, profession, or institution.

(c) Moving Expenses. Costs of dismantling, crating, insuring, transporting, reassembling, reconnecting, and reinstalling of personal property, merchandise, etc., exclusive of the cost of any additions, improvements, alterations, or other physical changes in or to any structure in connection with affecting such reassembly, reconnecting, or reinstallation.

(d) Actual direct losses or loss of property. Actual loss in the value of the property (exclusive of goods or other inventory kept for sale) sustained by the site occupant by reason of the disposition or abandonment of the property resulting from the site occupant's displacement from an urban renewal area. A loss resulting from damage to the property while being moved is not included.

Section 3. The Authority shall pay its proportionate share of administering the relocation program as part of an eligible project expenditure.

Section 4. The Authority reserves the right to deny a claim of an otherwise eligible business concern which has defaulted in its obligation to the Authority.

Section 5. The Authority will not pay the cost of any appraisal made to determine actual loss of property if made by or in behalf of the claimant. If the Authority expends money for such appraisal work, such expenditure shall be part of its pro rata share of the project cost.

Section 6. Business concerns which are displaced by the project and which move on or after September 21, 1961, may be eligible for relocation payment if the property from which they were displaced was part of the project area, provided that in fact the real property vacated is not occupied by another site occupant prior to the acquisition of title to the same by the Authority or other public body unless the latter disclaims a relocation payment.



After a site occupant eligible for a relocation payment has vacated the property occupied, no relocation payment may thereafter be made to any party with respect to the subsequent occupancy of the same property or any part thereof.

Section 7. A business concern which moves beyond one hundred miles of the boundary of the city of Boston may not obtain a relocation payment for its moving expense in excess of the reasonable and necessary expense for moving such distance of one hundred miles.

Section 8. A site occupant who vacates real property in the project area on which the rental has been increased by at least ten percent as a result of voluntary rehabilitation or code enforcement activities may be eligible to receive a relocation payment.

Section 9. A relocation payment may not be made to site occupants who make a temporary on-site move. The cost of temporary on-site moves made for the convenience of the Authority may be eligible for inclusion in gross project cost as a property management expense.

Section 10. If the total of the actual moving expense incurred is greater than \$3,000, the maximum relocation payment to a business concern, for which reimbursement or compensation is not otherwise made, shall be the total of such actual moving expense.

Section 11. Disbursements which are not eligible as Relocation Payments include, but are not limited to, the following:

- (a) Disbursements made prior to the effective date.
- (b) Disbursements for any rent, for loss of goodwill or profit, or for any costs other than necessary moving expenses or actual direct losses of property.
- (c) Disbursements for expenses or losses for which reimbursement or compensation is otherwise made.
- (d) Disbursements for expenses of claimant in preparing and supporting its claim.
- (e) Loss resulting from damage to the property while being moved.



Section 12. Any business concern seeking relocation payments shall file a written claim for same on forms furnished by the Authority at the Site Office located at 30 Hawkins Street, Boston, Massachusetts. All such papers and related evidence shall become the permanent records of the Authority.

Section 13. A claim for relocation payment shall be submitted to the Authority within a period of six months after the moving expenses are incurred or direct losses of property are suffered.

Amended by Amendments: No. 1; No. 2;

Section 14. All claims shall be made on Housing and Home Finance Agency Form H-6140 (attached hereto) and shall be approved by the Project Manager, John J. Hallisey, or, in his absence, by the Acting Project Manager.

BE IT FURTHER RESOLVED that an informational statement be furnished to site occupants, indicating:

- (a) the availability of relocation payments; and
- (b) where the written conditions under which relocation payments will be made are available.

AMENDMENT NO. 1

Adopted at Meeting of Jan. 31, 1962

VOTED: to amend the Relocation Payment Resolution for both residential and non-residential site occupants, on file in the Document Book as Document Nos. 163 and 164, as follows:

"Effective this day, all relocation payments claims will require the approval and signature of John B. Alevizos and that Sections  
\* 13 (residential) and 14 (business) of both relocation payment policies are hereby amended to reflect the above change. "

- \* The above amendment has been amended further with regard to Residential Relocation Payments by the following vote of 2/14/62:

"Effective this day, all residential relocation payment claims will require the approval and signature of John J. Hallisey, the Project Manager, or, in his absence, the Acting Project Manager, and that Section 13 of the above-mentioned Policy is hereby amended to reflect the above change. "

AMENDMENT NO. 2

Adopted at Meeting of Sept. 5, 1962

VOTED: that Section 14 of Document No. 163, Resolution Providing for the Making of Relocation Payments to Business Concerns, be amended as follows:

"Effective July 11, 1962, all relocation payments to business concerns will require the approval and signature of Charles B. Akerson, and that Section 14 of the Business Relocation Payments Policy is hereby amended to reflect this change.

AMENDMENT NO. 3

Adopted at Meeting of May 22, 1963

VOTED: to amend the Business Relocation Payment Policies for the Government Center, South End and Washington Park Projects by authorizing the signature of John Langley, Supervisor of Business Relocation Claims pro tem, until a successor to Charles B. Akerson, Business Relocation Officer, is appointed.



## CLAIM FOR RELOCATION PAYMENT

NAME AND ADDRESS OF LOCAL PUBLIC AGENCY

PROJECT NAME

PROJECT NUMBER

Individuals and families claiming FIXED PAYMENTS are to complete Items 1 through 6 and Item 12 before this claim will be processed for payment. All other claimants are to complete all items numbered 1 through 12 before this claim will be processed for payment. Where an item that is to be completed does not apply, write "None" in the space.

PENALTY FOR FALSE OR FRAUDULENT STATEMENT. U.S.C. Title 18, Sec. 1001 provides: "Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies . . . or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both."

1. FULL NAME OF CLAIMANT

2. DATE(S) OF MOVE

3. ADDRESS FROM WHICH YOU HAVE MOVED

a. Address

b. Apt., Floor, or Room No. \_\_\_\_\_

c. Was it furnished with your own furniture? ☐ YES ☐ NOd. Number of rooms occupied (excluding  
bathrooms, hallways, and closets): \_\_\_\_\_

4. ADDRESS TO WHICH YOU HAVE MOVED

a. Address

b. Apt., Floor, or Room No. \_\_\_\_\_

5. TYPE OF PAYMENT CLAIMED (Check one box after consulting Local Public Agency regarding local practice)

☐ a. Reimbursement for actual moving expense and/or direct loss of property☐ b. Fixed Payment

6. TOTAL CLAIM (If claim is for Fixed Payment, consult Local Public Agency. If claim is for reimbursement of actual expenses and/or losses, enter sum of Lines 11a and 11b below.)

\$

## DO NOT COMPLETE ITEMS 7 THROUGH 11 IF THIS IS A CLAIM FOR FIXED PAYMENT

7. NAME OF MOVING COMPANY (OR PERSON)

8. MOVER'S TELEPHONE  
NO.

9. ADDRESS OF MOVING COMPANY (OR PERSON)

10. METHOD OF PAYMENT, MOVING BILL (Check one)

☐ I have paid the moving charges, as evidenced by the attached itemized receipt or paid bill from the mover, and I therefore request reimbursement.☐ I have not paid the moving charges, and I therefore request that the attached itemized moving bill be paid directly to the mover, in accordance with arrangements made in advance, and with my consent, between the Local Public Agency and the mover.

11. AMOUNT OF ACTUAL COST AND/OR LOSS

a. COST OF MOVING (Must be supported by attached receipt(s) or unpaid voucher from mover if Local Public Agency is to pay mover directly.)

\$

b. DIRECT LOSS OF PROPERTY CLAIMED (If any claim is made here, the Statement of Claims on reverse side of this form must be completed.)

\$

12. I certify (a) that any movers' bills or receipts attached hereto accurately reflect moving services actually performed, and (b) that all other information submitted herewith or included herein is true and correct. I further certify that this represents my entire claim for a Relocation Payment to be made under Federal law and solely out of Federal funds, and that payment has not been received. I understand that falsification of any item in this claim may result in forfeiture of the entire claim.

Date

Signature

(Over)



tional sheets as necessary.

DESCRIPTION OF PROPERTY	BASIS FOR AMOUNT CLAIMED ( <i>Explain fully, referring to any attached statements</i> )	FAIR MARKET VALUE		AMOUNT CLAIMED	(FOR LPA USE) AMOUNT APPROVED
		FOR CONTINUED USE AT PRESENT LOCATION	DELIVERED TO ANOTHER LOCATION		
		\$	\$	\$	\$

## TO BE COMPLETED BY LOCAL PUBLIC AGENCY

I CERTIFY that I have examined this claim and the documents required to substantiate it and have found the claim to be in accord with the applicable provisions of Federal Law, the Rules and Regulations issued by the Housing and Home Finance Administrator pursuant thereto, and the pertinent Federal Contract. Therefore, this claim is hereby approved and payment is authorized as follows:

Reimbursement for actual moving expense	\$	
Reimbursement for actual direct loss of property	\$	
Fixed payment	\$	

*Authorized Signature*

*Date*

	\$
	\$
	\$

